

REMARKS

The Advisory action dated May 16, 2006 and the Final Office Action dated February 14, 2006 have been received and reviewed, wherein claims 1-20 stand rejected on obviousness grounds.

I. THE AMENDMENTS

The above amendments to independent claims 1, 12, and 16 specify that the non-fax incoming calls are connected to the subscriber's primary mobile directory number if a mobile station associated with the primary mobile directory number is available and capable of receiving the non-fax incoming calls to further distinguish the pending claims 1-20 with respect to the primary reference Joong 6,134,433. Applicants request entry of the above amendments under 37 CFR §1.116 as presenting the claims in condition for allowance or in better form for consideration on appeal and complying with formal requirements set forth in previous Office Actions, without requiring further searching and without adding new matter. Moreover, Applicants note the telephone interview on May 25, 2006 with Applicants' representative Eric Highman and Examiners Emek Ekong and Nick Corsaro in which the independent claims 1, 12, and 16 were discussed with respect to the cited references to Joong and Christensen 6,188,758 with a brief discussion of the proposed amendments above, wherein the Applicants agreed to submit the above amendment for consideration by the Examiner, and the Examiners agreed to provide a written interview summary. Applicants refer to the arguments presented in the prior responses with respect to the claims as being non-obvious with respect to the proposed combinations of the cited references, and request reconsideration of the amended claims in view of the remarks in Applicants' prior responses, the above amendment, and the following supplemental remarks

II. CLAIM REJECTIONS UNDER 35 U.S.C. §103

The pending claims were rejected under 35 U.S.C. §103 as being unpatentable over various combinations of Joong 6,134,433 with Christensen 6,188,758. The above amendments to the independent claims further distinguish the pending claims over Joong and Christensen. In particular, the amended claims involve forwarding incoming fax calls to the subscriber's mobile fax directory number (DN), and connecting non-fax incoming calls to the subscriber's primary mobile DN if the mobile station is available

and capable of receiving the call. The automatic forwarding system of Joong, on the other hand, appears to forward calls only when the mobile station is not available or unable to take the call (Joong col. 3, lines 8-37). When the call forwarding of Joong operates, moreover, the call is forwarded to one of two transfer numbers which are different from the originally dialed number (voice calls to a first transfer number and data calls to a second transfer number). This system, therefore, is intended to operate only when the called mobile is unavailable, and is inapplicable to the claimed scenario in which the mobile station associated with the primary mobile directory number is available and capable of receiving the non-fax incoming calls. Consequently, a person of ordinary skill in the art would not be motivated to modify the system of Joong by combination with Christensen or any other reference to connect non-fax calls to the called mobile and to forward non-fax calls when the primary mobile is available as set forth in the amended claims. Accordingly, Applicants submit the claims, as amended above, are patentably distinct from the various combinations of Joong and Christensen set forth in the Office Actions and request reconsideration and allowance thereof under 35 U.S.C. §103 for at least this reason.

Also, as previously submitted, there is no suggestion, motivation, or reasonable expectation of success for attempting the proposed combination of Joong with Christensen. In this regard, Joong and the invention and background descriptions of Christensen are different in several important respects. First, Joong teaches automatic forwarding while the invention of Christensen appears to be a manual transfer system in which the called subscriber manually selects an action. Joong's forwarding system is an *automatic system* that operates to forward voice calls to a first transfer number and to forward data calls to a second transfer number (*e.g.*, Joong col. 3, lines 14-23). The network of the Christensen invention, on the other hand, provides for manually routing incoming calls to an appropriate terminal according to the type of incoming call (Christensen abstract, col. 1, line 62 through col. 2, line 11; col. 3, line 59 through col. 4, line 4; claim 1). Consequently, a person of ordinary skill in the art would not be motivated to combine the automatic features of Joong with the manual teachings of the Christensen invention. In this regard, Christensen extols the flexibility advantages of manual call routing (col. 1, lines 54-59), wherein combination with Joong or other automatic system would appear to defeat the flexibility goals of Christensen. Similarly, combining the manual decisional features of the Christensen invention would appear

contrary to the automatic forwarding goals of Joong. In this regard, the Joong system operates only when the subscriber's mobile is unavailable or incapable of receiving a call, whereby no manual intervention is possible. Thus a person of ordinary skill in the art would have no reasonable expectation of success in attempting the proposed combination of Joong with Christensen's manual routing invention, whereby the pending claims are non-obvious. Applicants note that Christensen col. 4, lines 32-42 discusses combination of the Christensen invention with automatic routing functions, stating "Of course the manual routing function may be combined with an automatic routing function, so that when the manual routing function is turned off, the calls are automatically routed according to a predetermined scheme." However, this discussion appears limited to using automatic routing according to a predetermined scheme when manual routing is "turned off", and does not fairly suggest that the manual routing features themselves are applicable in an automatic forwarding system such as Joong. Rather, the entirety of Christensen's disclosure appears to teach away from such a modification/combination.

Christensen also provides a background section cited in the various Office Actions. However, this description also is not properly combinable with the Joong automatic forwarding system with respect to the pending claims. In this regard, while the background section of Christensen (e.g., col. 1, lines 27-49) appears to characterize prior solutions to the problem of automatically selecting a telephone or a telefax machine, the microprocessor based programmable interface device described in this portion of Christensen seems to automatically *connect* a call to either a telefax machine or to a telephone or answering machine (col. 1, lines 41-45), and does not appear applicable to *forwarding* systems such as Joong. Thus, while this description appears to involve an *automatic* interface device, there is no teaching that either type of call is *forwarded*. Rather, the device appears to "control the equipment connected to the interface device in dependence of the type of traffic" (col. 1, lines 38-41). Consequently, a person of ordinary skill in the art, upon encountering this background description of Christensen would not be motivated to combine this automatic connection interface device with Joong, as this would appear to thwart the goal of Joong to *forward* calls to either a first transfer number or to a second transfer number depending on the call type when the called mobile is unavailable.

Applicants therefore submit that the amended claims are patentably distinct from the proposed combinations involving Joong and Christensen, and request reconsideration of the pending claims.

CONCLUSION

For at least the above reasons, the currently pending claims 1-20 are believed to be in condition for allowance and notice thereof is requested.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should any fees be due as a result of the filing of this response, the Commissioner is hereby authorized to charge the Deposit Account Number 06-0308, LUTZ200283.

Respectfully submitted,

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